



NEWS RELEASE

Office of the
United States Attorney
for the
District of Nebraska
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August 18, 2010

United States Attorney Deborah R. Gilg, Omaha Police Chief Alex Hayes, and Mickey Leadingham, Omaha's Resident Agent in Charge of the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives, announce the following information for the attention of the media:

Event Triggering this Release:

For being a Felon in Possession of a Firearm on July 27, 2009, Joseph Walker Foster was sentenced by the Honorable Joseph Bataillon, Chief United States District Judge, to serve 84 months in prison, which will be followed by a 3 year term of Supervised Release, and to pay a \$100 Special Assessment.

At 2:55 a.m. on July 27, 2009, an Omaha police officers saw Foster walking down the middle of Spencer Street just west of 24th street, even though there were sidewalks on both sides of the street, a violation of both city ordinance and state law. Officers exited their cruiser and saw Foster with his left hand behind his back. They asked what Foster was hiding. Foster lifted an open glass bottle of beer, then started walking backwards. Foster threw the bottle on the ground. Foster ran eastbound on Spencer. Foster was tasered and taken into custody. In his right front pocket was a loaded .22 caliber pistol. Foster was prohibited from possessing a firearm as he was convicted in 1999 of two counts of burglary.

Name of Defendant: Joseph Walker Foster

AKA: Joe Foster, "Tank", Joseph Walter Foster

Age: 28

City of Residence: Omaha

Crime(s) Charged and Potential Penalty (A CHARGE is merely an accusation and every defendant is presumed innocent until and unless proven guilty): Felon in Possession of a Firearm carries not more than 10 years in prison, not more than a \$250,000 fine, not more than 3 yrs term of Supervised Release, and a \$100 Special Assessment.

Specific Location of Alleged Crime: 24th and Spencer
Location of Arrest: 24th and Spencer

Alleged Dollar Loss/Type and Quantity of Drug: n/a

Others Charged in Same Scheme: n/a

Relevant Dates:

Date of Alleged Crime: July 27, 2009

Federal Arrest Date: December 16, 2009

Date Complaint Issued: n/a

Indictment Returned Date: October 21, 2009

Initial Appearance Date: December 16, 2009

Plea Date(s): May 17, 2010

Sentencing Date: August 18, 2010

Next Court Hearing Type and Date: n/a

Assigned Magistrate Judge: Hon. F.A. Gossett

Held without Bond: Yes

In Continuous Custody Since: July 27, 2009

Assigned District Court Judge: Hon. Joseph Bataillon

Initials of Assigned AUSA/Preparer of THIS Release: MDW